

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

VALENTE TREJO,

Plaintiff,

v.

Case No.: 2:20-cv-104-FtM-38NPM

GMZ MASONRY & CONCRETE,
INC.,

Defendant.

_____ /

ORDER¹

Before the Court is the parties' Joint Notice of FLSA Settlement Without Compromise and Motion for Entry of Final Judgment in Favor of the Plaintiff ([Doc. 8](#)). Plaintiff sued Defendant under the Fair Labor Standards Act ("FLSA") for unpaid overtime. ([Doc. 1](#)). The parties now inform the Court that Plaintiff's claim has been resolved in full without compromise and with attorney's fees and costs negotiated separately. Therefore, there is no need for the Court to review the settlement for fairness and it is approved. See [Lynn's Food Stores, Inc. v. U.S. Dep't of Labor](#), 679 F.2d 1350, 1352 (11th Cir. 1982); see also [Mackenzie v. Kindred Hosps. East, L.L.C.](#), 276 F. Supp. 2d 1211, 1217 (M.D. Fla. 2003).

While the parties negotiated attorney's fees and costs separately, they were unable to resolve the matter. So the parties ask the Court to enter judgment in favor of Plaintiff and allow them to file a separate motion for attorney's fees and costs in

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accordance with [Federal Rule of Civil Procedure 54](#). While the Court will not enter judgment at this time, it will reserve jurisdiction to determine reasonable attorney's fees and costs. After that issued is resolved, the Court will enter judgment.

Accordingly, it is now

ORDERED:

1. The Clerk is **DIRECTED** to terminate all pending motions or deadlines.
2. The Court **RESERVES JURISDICTION** to determine reasonable attorney's fees and costs. Any request for attorney's fees and costs must be **FILED** as a separate motion—in accordance with [Federal Rule of Civil Procedure 54](#)—**on or before May 28, 2020**.

DONE and **ORDERED** in Fort Myers, Florida this 14th day of May, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record